

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

24mj8409 WM

CASE NO. _____

UNITED STATES OF AMERICA

vs.

JAMES WILLIAM LATTA,

Defendant.

FILED BY SW D.C.

Aug 30, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)?
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)?
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023?
4. Did this matter involve the participation of or consultation with now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024?

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

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UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

James William Latta,

Case No. 24mj8409 WM

*Defendant(s)*FILED BY SW D.C.**Aug 30, 2024**ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 2024 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 2252A(a)(2)

Distribution of Child Pornography

This criminal complaint is based on these facts:

See attached affidavit in support of criminal complaint

☒ Continued on the attached sheet.

AISHA A RAHMAN

Digitally signed by AISHA A
RAHMAN
Date: 2024.08.30 23:50:10 -04'00'*Complainant's signature*

Aisha Rahman, Special Agent / HSI

*Printed name and title*Sworn to and signed before me by
Telephone (Facetime) per
Fed. R. Crim. P. 4(d) & 4.1Date: August 30, 2024*William Matthewman*
*Judge's signature*City and state: West Palm Beach, Florida

William Matthewman, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT
OF CRIMINAL COMPLAINT**

Your affiant, HSI Special Agent Aisha Rahman, being first duly sworn, does hereby depose and state as follows:

Introduction

1. I have been employed as a Special Agent with Homeland Security Investigations (HSI) since August 2020. Prior to federal employment, I worked for the Port St. Lucie (Florida) Police Department for nearly five-and-a-half years, serving in the capacity of a Police Officer, and a Persons Crimes Detective. Among my responsibilities as an HSI Special Agent, I am trained and empowered to investigate crimes against the United States, as more fully described in Titles 8, 18, 19 and 21 of the United States Code, amongst others. This includes investigating crimes against children, particularly offenses involving child pornography and the exploitation of children, including but not limited to matters related to the sexual exploitation of minors, Internet child pornography, and offenses in violation of Title 18, United States Code, Sections 2251, 2252, 2252A, and 2422 et. seq. I have attended and received training in this area of law enforcement, and have both personally investigated, as well as assisted, in investigations involving the exploitation of children. I have also spoken with and investigated many individuals who have sexually abused children. From those conversations, I am aware of common methods individuals use to sexually exploit children online.

2. I make this Affidavit in support of a criminal complaint and arrest warrant charging **JAMES WILLIAM LATTA** (hereinafter "LATTA"), with distribution of child pornography, in violation of Title 18, United States Code, Section 2252A(a)(2).

3. The facts contained in this Affidavit come from my personal knowledge, training, and experience, as well as information obtained during my investigation from other members of

law enforcement, witnesses, and the victims affected by these criminal violations. Because this affidavit is submitted for the limited purpose of obtaining a criminal complaint, it does not contain all the facts known to me about the investigation, but rather, those facts that I submit establish probable cause of the offenses listed herein.

PROBABLE CAUSE

4. A Homeland Security Investigations (HSI) West Palm Beach (WPB) undercover Special Agent (hereinafter referred to as “the UC”) has been acting in an undercover capacity online a mobile messaging application (hereinafter the “App”) to detect and investigate violations of federal law related to the sexual exploitation of children. The UC was monitoring numerous chatrooms including those created for individuals to discuss their interests in “taboo” sex, family incest, child pornography, and the like, to combat the sexual abuse of child and distribution of child pornography.

5. On or about March 20, 2024, the UC encountered a user on the App with username “josh.jk.”, who was a moderator or administrator in a taboo chatroom. The UC and the user began private messaging, while the UC also monitored his activity in other chatrooms. The user “josh.jk.” went by the name “Josh”, stated he was a 37-year-old male in Texas, married, had a minor daughter and son, and worked in construction. “Josh”, later identified as 37-year-old James William LATTA of Commerce, Texas, has maintained private communication with the UC since March 2024. He has also communicated to the UC that he uses Virtual Private Networks (VPN) and anonymity services to mask his identity, and that he deletes the App from his mobile device before he arrives home from work each day.

6. LATTA began distributing videos of child sexual abuse material (CSAM) of mostly prepubescent children, to include infants and toddlers. He continuously distributed such videos privately to the UC, and within chatrooms where there were multiple members.

7. On or about June 24, 2024, LATTA invited and added the UC into a private chatroom he created within the App. The UC joined the chatroom and has been monitoring and recording the chatroom since admittance. There are numerous members within this chatroom, and the chatroom exists to present date. The chatroom is an “Anything Goes” chatroom in which members are invited to share any content they desire without any limits. The majority of the content shared within the chatroom is CSAM, mostly videos, of prepubescent children, including babies.

8. LATTA has continuously distributed CSAM within the chatroom and one of the largest distributors within the room. LATTA continues to invite other users into the chatroom who are also sexually interested in children. LATTA and other members of the room continue to distribute CSAM, comment on the CSAM being shared, and request certain types of CSAM preferences.

9. On multiple occasions, LATTA sent videos and photos to the UC of himself masturbating, and instructed the UC to show them to her notional prepubescent child.

10. In August 2024, LATTA’s account was banned or deactivated by the App. LATTA created a new account “joshjk..” and reinitiated contact with the UC, and rejoined the chatroom. He has still maintained communication with the UC and continues to distribute CSAM as of August 30, 2024, via this account.

11. For example, on August 26, 2024, at approximately 5:29pm (EST), LATTA distributed a video of CSAM within the chatroom that was approximately fifty-six seconds in

length. The video depicted a nude, prepubescent white female who was lying on her back while her legs and arms were bound by a yellow rope. An adult white male was touching the child's vulva while he also was penetrating the child's mouth with his erect penis.

12. On August 28, 2024, at approximately 4:38pm (EST), LATTA distributed a video of CSAM within the chatroom that was approximately one minute and fifty-eight seconds in length. The video depicted a prepubescent juvenile female who appeared to be under ten years old and was nude from the waist down. The child was urinating in a toilet, and then masturbated an adult white male's penis while in the bathroom. Then, per the adult male's instructions, the child performed oral sex on the male.

13. On August 29, 2024, at approximately 7:50pm (EST), LATTA distributed a video of CSAM within the chatroom that was approximately one minute and thirteen seconds in length. The video depicted a nude adult white male vaginally or anally penetrating a nude toddler female with his penis while the child was lying on her stomach. Several members of the room commented on the video.

14. Furthermore, on August 30, 2024, at about 12:34pm, LATTA posted in the chatroom "Wish me luck everybody...trying to get my daughter to go out to our cabin with me this weekend...just me my pup and her". The UC asked what his plan was. He stated that he was hoping to be naked and "hard". LATTA then private messaged the UC at about 12:39pm and asked for "pointers" and "advice", and said, "I so want to make it happen" with his 11-year-old daughter. The UC asked him what he hoped to make happen. LATTA replied, "I'd love to get my cock in her...but would be happy with just play too". He further explained that he usually goes to the cabin with just his son, but that he "may try to play the 'fair' card and say it's her turn" (to go to the cabin). LATTA stated his family cabin is approximately 45 minutes away from where he lives.

LATTA stated that he plans to take his daughter to the cabin to attempt to commit such acts tonight (August 30, 2024) and that they would remain there until the following afternoon.

15. On multiple occasions, LATTA asked the UC to videochat with him. On today's date, August 30, 2024, he made another reference to video chatting with the UC. At about 3:59pm, the UC inquired if LATTA had a Telegram account so that they could possibly video chat in the near future. LATTA provided the UC with his Telegram account "jjohns1326". The UC messaged LATTA on Telegram. After LATTA accepted the friend request on Telegram and LATTA began communicating on Telegram, the UC was able to view LATTA's Telegram profile. The profile listed his phone number that was linked to the account, which showed as (469) 328-4567. The profile photo depicted a white male wearing hunting attire, with his eyes visible, while holding what appeared to be a hunting rifle.

16. HSI searched the phone number on the mobile payment application Zelle, which revealed the phone number was linked to a Zelle account for an individual by the name of James LATTA.

17. A search of the phone number in law enforcement databases showed that the AT&T phone number was linked to 37-year-old James William LATTA, date of birth November 26, 1986, in Commerce, Texas.

18. HSI obtained LATTA's Texas driver's license which revealed the same name, date of birth, and address, and also provided his driver's license photo. The photo appeared to resemble a male similar to the male in the Telegram profile photo.

19. On August 22, 2024, a cooperating defendant (referred to as the CD) was arrested in Michigan. The CD was a member of LATTA's chatroom. The CD stated that they have known "Josh" (LATTA) from the App for the last several years, had maintained private communication

with him, had seen “Josh” in photos that were privately sent to the CD, and the CD had also had numerous live video chats with LATTA (the defendant knows LATTA as “Josh”). During the arrest of the CD, the CD confessed to the sexual abuse of their four-year-old son and the production and distribution of CSAM (of the sexual abuse of their son), which were performed at the direction of LATTA over the last two years.

20. On August 30, 2024, at about 6:30pm, with approval from CD’s defense attorney, the Van Buren County Sheriff’s Office in Michigan administered a photo lineup with the CD at the local jail where the CD is in custody. The photo lineup contained six photos (one white male in each photo), with photo #6 being the driver’s license photo of LATTA. The CD immediately positively identified LATTA as “Josh” from the App. The CD stated that they knew LATTA to be in their late 30s to early 40s from Texas, that LATTA was married and had a juvenile daughter and son, LATTA worked in construction, and communicated with the CD on the App and Snapchat. The CD re-confirmed that at least around one-hundred occasions over the last two years, LATTA directed the CD to commit sexual abuse on the CD’s toddler son while producing CSAM for those acts and distribute it to LATTA. The CD also stated that LATTA told the CD that during a family vacation this summer at a lake, LATTA was left alone with his two-year-old niece in the lake, and while with the child, he digitally penetrated the child’s vagina in the water.

21. Due to the imminent threat of sexual abuse of LATTA's juvenile daughter, HSI obtained subscriber information from AT&T through an emergency disclosure request. AT&T provided that the phone number above is subscribed to LATTA at 4097 Fm 2655, Commerce, TX 75428. TX. This is the same address on LATTA's driver's license. They also provided that the device linked to the phone number is a Samsung SMS911U, with IMEI 350932554523753.

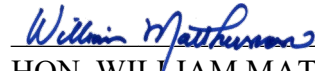
FURTHER YOUR AFFIANT SAYETH NAUGHT.

AISHA A RAHMAN

Digitally signed by AISHA A
RAHMAN
Date: 2024.08.30 23:50:38 -04'00'

Special Agent Aisha Rahman, HSI

Attested to me telephonically (via facetime) by the
applicant in accordance with the requirements of
Fed. R. Crim. P. 4.1 this 30th day of August 2024.



HON. WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

CASE NO. 24mj8409 WM

Defendant's Name: James William Latta,

| COUNT | VIOLATION | U.S. CODE | MAX. PENALTY |
|-------|-----------------------------------|----------------------------|---|
| | Distribution of Child Pornography | 18 U.S.C. § 2252A(a)(2) | 5 to 20 years' imprisonment, \$250,000 fine 3 years' supervised release |